

LAW (32)

AGENCY PLAN: STATEMENT OF PURPOSE, GOALS AND BUDGET SUMMARY

STATEMENT OF PURPOSE:

The Law Department delivers excellent and efficient legal counseling and representation to the Executive and Legislative branches of City government as mandated by the City Charter.

AGENCY GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

AGENCY FINANCIAL SUMMARY:

2005-06 Requested		2004-05 Budget	2005-06 Recommended	Increase (Decrease)
\$ 28,973,495	City Appropriations	\$ 25,269,165	\$ 17,576,547	\$ (7,692,618)
\$ 28,973,495	Total Appropriations	\$ 25,269,165	\$ 17,576,547	\$ (7,692,618)
\$ 3,357,357	City Revenues	\$ 3,114,357	\$ 3,114,357	\$ -
\$ 3,357,357	Total Revenues	\$ 3,114,357	\$ 3,114,357	\$ -
\$ 25,616,138	NET TAX COST:	\$ 22,154,808	<u>\$ 14,462,190</u>	\$ (7,692,618)

AGENCY EMPLOYEE STATISTICS:

2005-06 Requested		2004-05 Budget	04-01-05 Actual	2005-06 Recommended	Increase (Decrease)
188	City Positions	188	181	146	(42)
188	Total Positions	188	181	146	(42)

ACTIVITIES IN THIS AGENCY:

	2004-05 Budget	2005-06 Recommended	Increase (Decrease)
Administration and Operations	\$ 24,010,165	\$ 17,047,312	(6,962,853)
Risk Management	\$ 300,000	\$ 229,235	(70,765)
Legislative Liaison	959,000	300,000	(659,000)
Total Appropriations	\$ 25,269,165	\$ 17,576,547	\$ (7,692,618)

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ADMINISTRATION AND OPERATIONS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: ADMINISTRATION AND OPERATIONS

The function of this activity is to provide legal services to all branches of government of the City of Detroit. These services include researching and writing legal opinions, representing the City, its agencies and employees in a variety of legal proceedings, including condemnation proceedings, civil litigation, criminal prosecution of ordinance violations and claims against the City. Services also include reviewing all City contracts, leases, development agreements, indemnity agreements, preparing ordinances and rendering legal advice. Sections within the department are Litigation, Labor/WC, 36th District Court, Claims, Municipal, Contracts, Tax/RC, Property/Environmental and Appeals for a total of 9 sections. Major client agencies are: Mayor's Office, City Council, Police, Public Works, Transportation, Water and Sewerage, Planning and Development, Buildings and Safety Engineering, Finance, Public Lighting, Human Resources, Fire, Recreation, Budget, Zoo, Health, Municipal Parking, and Civic Center for a total of 18.

GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

MAJOR INITIATIVES FOR FY 2004-05 and FY 2005-06:

- The demand for legal services has increased commensurate with the growth in volume and diversity of the City's operation. The department is committed to providing timely assistance and improving response time to its clients to acceptable industry standards.
- The Law Department has attempted to keep pace with the growing demand through increased emphasis on client service and responsiveness; enhancing skill training of lawyers, legal assistants and clerical support staff; improved management and supervision of the department's many areas of practices; modernization of Law's internal practice support systems such as automated time tracking and billing systems, records management system, case management and litigation support systems; streamlining of the department's systems; and improvement of law practice aids and manuals.
- In conjunction with the 36th District Court, the Law Department is currently revamping and rewriting ordinances to increase fine revenue coming to the City, as well as making the amounts of City fines on par with those of the surrounding suburbs and the State laws. The Municipal and Ordinance Section is presently handling this project.
- The Law Department has increased the Freedom of Information Act (FOIA) section as a result of increased FOIA requests. The FOIA section is also equipped to provide training and guidance to various departments throughout the City. This year we launched a Document Liaison Program with City-wide training. This initiative should streamline the collection and production of data for all litigation.
- The Law Department has a range of major initiatives for each division for Fiscal Year 2005-06. The Tax and Revenue Collection Section has taken more aggressive action in assisting departments with their collection programs. In the last two years, DWSD and Municipal Parking have initiated collection of outstanding debts aided in part by the Tax and Revenue Collection Section.
- We have successfully completed the resolution of two Department of Justice investigations – DPD and Americans with Disabilities.

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PLANNING FOR THE FUTURE FOR FY 2005-06, FY 2006-07 and BEYOND:

We are constantly examining the department to bring us into best practices of the legal industry:

- Establishing the appropriate supervisory/staff ratios.
- Full utilization of technology.
- Complete department-wide workforce analysis.
- Implementation of a computerized case management and document system.
- Reduction of operational costs.

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ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS

Type of Performance Measure:	2002-03	2003-04	2004-05	2005-06
List of Measures	Actual	Actual	Projection	Target
Inputs: Resources Allocated or Service Demands Made				
Percentage of professional staff attending at least one external training program per year	100%	94%	100%	100%
Collection opportunities (fees, costs or sanctions)	\$1,578,866.44	N/A	N/A	N/A
FOIA requests – all	2,734	3,380	3,545	2,035
Municipal Public Hearings / Formal meetings	2,204	2,350	2,500	2,200
Municipal – Administrative Proceedings	4	4	4	4
Outputs: Units of Activity directed towards Goals				
Client training workshops	29	47	50	34
Number of face-to-face client contacts to assess client needs	1,215	1,549	1,714	2,248
Number of open-house with Department Directors	N/A	98%	100%	N/A
Percent “plain English” documents	100%	100%	100%	100%
Number of risk management reports	10	12	15	5
Reporting of allegedly defective conditions	130	145	145	550
Clients’ risk management training initiated	N/A	6	10	5
Settlement write-ups completed within 10 days of agreement	75%	75%	100%	100%
Number of late filings due to attorney error	10	10	0	0
Percent of timely responses to written assignments	83.5%	86%	91%	94%
Days between referral and collection initiation	45	45	45	45
Participation in City/related entities’ bond transactions	4	6	4	6
Bonds/Insurance Certificates Reviewed	751	700	725	700
Involvement in City commercial transactions ¹	1,479	1,480	1,490	1,540
Development agreements	91	50	50	50
Acquisition deed proceedings	20	20	N/A	10
Land contract collection actions	43	30	N/A	30
Number of cases handled by outside counsel ²	55	50	45	7
Delinquent Property Tax Cases Referred	746	1,000	N/A	N/A
Property Tax Payment Plans Adopted	42	100	N/A	N/A
Foreclosure cases pending (close of fiscal year)	1,212	800	N/A	8
Foreclosure cases filed	328	450	N/A	N/A
Foreclosure cases closed	277	300	N/A	N/A
Parcels taken	75	100	N/A	N/A
SEV/Title taken	496,450	730,000	N/A	N/A
Total tax cases filed in court	328	400	N/A	N/A
Tax Tribunal Cases Pending (close of fiscal year)	150	200	N/A	N/A
Tax Tribunal Cases Filed	181	200	N/A	N/A
Tax Tribunal Cases Closed	110	200	N/A	N/A
Total Number of Labor Cases pending at start of fiscal year	691	651	N/A	735
Total number of Labor trials	10	8	15	35
Total number of appeals pending (close of fiscal year)	133	50	54	68
Municipal opinions rendered (written and oral)	4,755	5,100	5,200	6,250
Contracts opinions rendered (written and oral)	311	306	306	260
Labor cases to arbitration	300	333	383	210
Labor MERC cases	53	68	48	110
Veterans preference hearings	9	4	4	8
Water Department contractor claims	8	5	6	4
Water Department opinions rendered	184	180	184	110

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Type of Performance Measure: List of Measures	2002-03 Actual	2003-04 Actual	2004-05 Projection	2005-06 Target
Outputs (continued)				
DWSD Property Damage Cases pending (close of fiscal year)	32	N/A	N/A	N/A
DWSD Property Damage Cases Filed	44	N/A	N/A	N/A
DWSD Property Damage Cases Closed	46	N/A	N/A	N/A
Disputed Water Bill Appeals – Cases Pending (close of fiscal year)	32	32	32	N/A
Subpoenas	637	930	935	800
Ordinances, Resolutions, Executive Orders	305	325	350	565
Information requests handled by Police Legal Advisors	1,040	1,120	1,175	N/A
Appearance notices handled by Police Legal Advisors	725	780	750	N/A
Labor/Employment Investigations	66	75	80	40
EEOC & MDCR claims	46	52	60	60
Worker Compensation redemptions	78	N/A	150	95
Civil service grievances	33	N/A	63	57
Outcomes: Results or Impacts of Program Activities				
Percentage of clients rating department services satisfactory or better	90%	90%	95%	95%
Number of defaults due to attorney error	0	0	0	0
Total levels of revenue collections ³	1,578,866.44	4,160,000	2,100,000	2,100,000
Bankruptcy collections	973,765.65	550,000	750,000	1,000,000
Income Tax collections (civil and criminal)	437,383.45	N/A	N/A	320,000
General accounts receivable amounts collected	31,655.45	N/A	N/A	747,000
Delinquent Utility User taxes collected	340,318	400,000	400,000	N/A
Property Tax Collections	1,859,284	2,500,000	1,500,000	1,500,000
Number of labor and workers compensation cases disposed of without payout	4	7	7	369
Total amount of settlements paid against City	20,470,000	42,406,348	30,300,000	25,300,000
Total amount of arbitration paid against City	1,500,000	4,260,000	4,200,000	3,200,000
Total amount of judgments paid against City	9,500,000	10,000,000	19,000,000	800,000
Activity Costs	\$28,278,596	\$28,116,087	\$24,310,165	\$17,276,547

¹Contracts Section/Commercial Division: including advice/counseling, negotiation, contract drafting and review

²Contracted out for reasons other than conflicts and applicable insurance coverage

³Includes collection of bankruptcy, municipal parking, income tax, property tax, general accounts receivable, general fees and utility users tax delinquencies; and environmental cost recoveries.

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Administration	2004-05 Redbook		2005-06 Dept Final Request		2005-06 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Administration and Operations						
<i>APPROPRIATION ORGANIZATION</i>						
00527 - Administration and Operations						
320010 - Administration	185	\$24,010,165	185	\$28,673,495	143	\$17,047,312
APPROPRIATION TOTAL	185	\$24,010,165	185	\$28,673,495	143	\$17,047,312
ACTIVITY TOTAL	185	\$24,010,165	185	\$28,673,495	143	\$17,047,312

CITY OF DETROIT
Budget Development for FY 2005-2006
Appropriations - Summary Objects

	2004-05 Redbook	2005-06 Dept Final Request	2005-06 Mayor's Budget Rec
AC0532 - Administration			
<i>A32000 - Law Department</i>			
SALWAGESL - Salary & Wages	11,990,142	12,743,793	8,322,310
EMPBENESL - Employee Benefi	7,793,172	8,997,364	4,886,958
PROFSVCSL - Professional/Con	1,425,963	2,345,963	998,480
OPERSUPSL - Operating Suppli	299,382	487,597	403,632
OPERSVCSL - Operating Servic	2,358,006	3,936,278	2,348,432
CAPEQUPSL - Capital Equipmei	87,500	80,000	87,500
OTHEXPSSL - Other Expenses	56,000	82,500	0
<i>A32000 - Law Department</i>	<i>24,010,165</i>	<i>28,673,495</i>	<i>17,047,312</i>
AC0532 - Administration	24,010,165	28,673,495	17,047,312
Grand Total	24,010,165	28,673,495	17,047,312

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RISK MANAGEMENT ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: LEGISLATIVE LIAISON

The Risk Management Unit focuses on reducing city costs from lawsuits.

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Risk Management	2004-05 Redbook		2005-06 Dept Final Request		2005-06 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Risk Management						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
11544 - Risk Management						
320050 - Risk Management	3	\$300,000	3	\$0	3	\$229,235
APPROPRIATION TOTAL	3	\$300,000	3	\$0	3	\$229,235
ACTIVITY TOTAL	3	\$300,000	3	\$0	3	\$229,235

CITY OF DETROIT
Budget Development for FY 2005-2006
Appropriations - Summary Objects

	2004-05 Redbook	2005-06 Dept Final Request	2005-06 Mayor's Budget Rec
AC1532 - Risk Management			
<i>A32000 - Law Department</i>			
SALWAGESL - Salary & Wages	182,072	0	143,346
EMPBENESL - Employee Benefi	117,928	0	85,889
<i>A32000 - Law Department</i>	<i>300,000</i>	<i>0</i>	<i>229,235</i>
AC1532 - Risk Management	300,000	0	229,235
Grand Total	300,000	0	229,235

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LEGISLATIVE LIAISON ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: LEGISLATIVE LIAISON

The City of Detroit engages the services of a legislative liaison in Washington, D.C and no longer engages the services of a liaison in Lansing. The appropriation pays for a contract for services in Washington. The Mayor's Office provides the oversight of this contract.

GOALS:

1. Represent the City's interest in all federal legislative matters pertaining to or having an effect upon the City of Detroit.
2. Keep the City Administration informed of the latest legislative attitudes and actions on matters pertaining to or having an effect upon the City of Detroit.

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Lansing Office	2004-05		2005-06		2005-06	
	Redbook		Dept Final		Mayor's	
Legislative Liaison			Request		Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
00255 - Legislative Liaison						
320030 - Lansing Office	0	\$659,000	0	\$0	0	\$0
320040 - Federal Legislative Services	0	\$300,000	0	\$300,000	0	\$300,000
APPROPRIATION TOTAL	0	\$959,000	0	\$300,000	0	\$300,000
ACTIVITY TOTAL	0	\$959,000	0	\$300,000	0	\$300,000

CITY OF DETROIT
Budget Development for FY 2005-2006
Appropriations - Summary Objects

	2004-05 Redbook	2005-06 Dept Final Request	2005-06 Mayor's Budget Rec
AC1032 - Legislative Liaison			
<i>A32000 - Law Department</i>			
PROFSVCSL - Professional/Con	902,860	300,000	300,000
OPERSUPSL - Operating Suppli	5,140	0	0
OPERSVCSL - Operating Servic	51,000	0	0
<i>A32000 - Law Department</i>	<i>959,000</i>	<i>300,000</i>	<i>300,000</i>
AC1032 - Legislative Liaison	959,000	300,000	300,000
Grand Total	959,000	300,000	300,000

CITY OF DETROIT
Budget Development for FY 2005-2006
Appropriation Summary - Revenues

	2003-04 Actuals	2004-05 Redbook	2005-06 Dept Final Request	2005-06 Mayor's Budget Rec	Variance
A32000 - Law Department					
<i>00527 - Administration and Operations</i>					
449160 - Personal Services-Airp	26,715	30,000	44,000	30,000	0
449175 - Personal Services-Ced	1,237,568	800,000	800,000	800,000	0
449190 - Personal Services-Hou	568,959	0	0	0	0
449200 - Personal Services-Mpd	149,927	100,000	100,000	100,000	0
449205 - Personal Services-Nsd	71,103	33,357	33,357	33,357	0
449215 - Personal Services-DO1	859,002	1,000,000	1,000,000	1,000,000	0
449220 - Personal Services-Wat	1,295,922	971,000	1,200,000	971,000	0
474100 - Miscellaneous Receipts	170,532	180,000	180,000	180,000	0
<i>00527 - Administration and Operations:</i>	<i>4,379,728</i>	<i>3,114,357</i>	<i>3,357,357</i>	<i>3,114,357</i>	<i>0</i>
<i>10986 - Byrne Memorial - Blitz and Bloom</i>					
432330 - Grants-Other	55,643	0	0	0	0
<i>10986 - Byrne Memorial - Blitz and Blk</i>	<i>55,643</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
A32000 - Law Department	4,435,371	3,114,357	3,357,357	3,114,357	0
Grand Total	4,435,371	3,114,357	3,357,357	3,114,357	0

CITY OF DETROIT
MAYOR'S 2005/2006 RECOMMENDED BUDGET

Law Department

Appropriation	REDBOOK FY 2004	DEPT REQUEST	MAYORS FY 2005
Organization	2005 FTE	FY 2005 2006 FTE	2006 FTE
Classification			
00527 - Administration and Operations			
320010 - Administration			
Corp Counsel - Election Comm	1	1	1
Deputy Corporation Counsel	1	1	1
Admin Asst GD II - Law	2	2	2
Executive Legal Secretary	1	1	1
Executive Secretary II	1	1	1
Chief Asst Corporation Counsel	5	5	4
Supervising Asst Corp Counsel	17	17	14
Legislative Asst Corp Counsel	1	1	1
Sr Asst Corporation Counsel	24	24	18
Assistant Corporation Counsel	47	47	38
Librarian IV - Law Reference	1	1	1
Records Manager	1	1	1
Legal Investigator	5	5	5
Microcomputer Support Splst	2	2	1
Legal Assistant	20	20	12
Senior Legal Secretary	6	6	5
Legal Secretary	34	34	23
Principal Clerk	2	2	2
Senior Clerk	3	3	3
Clerk	8	8	7
Office Assistant III	1	1	1
Office Assistant II	1	1	1
Messenger	1	1	0
Total Administration	185	185	143
Total Administration and Operations	185	185	143
11544 - Risk Management			
320050 - Risk Management			
Sr Asst Corporation Counsel	1	1	1

**CITY OF DETROIT
MAYOR'S 2005/2006 RECOMMENDED BUDGET**

Law Department

Appropriation	REDBOOK FY 2004	DEPT REQUEST	MAYORS FY 2005
Organization	2005 FTE	FY 2005 2006 FTE	2006 FTE
Classification			
<hr/>			
11544 - Risk Management			
320050 - Risk Management			
Assistant Corporation Counsel	2	2	2
Total Risk Management	<u>3</u>	<u>3</u>	<u>3</u>
Total Risk Management	<u>3</u>	<u>3</u>	<u>3</u>
Agency Total	<u><u>188</u></u>	<u><u>188</u></u>	<u><u>146</u></u>